

Remarks

Favorable reconsideration of this application, in view of the above amendments and in light of the following remarks and discussion, is respectfully requested.

Claims 24-48, 56, 57, and 90-92 are currently pending in the application; Claims 24-48, 56, 57, and 90-92 having been amended, and non-elected Claims 1-23, 49-55, and 58-89 having been canceled without prejudice or disclaimer, by way of the present response.

Applicants respectfully assert that support for the changes to the claims is self-evident from the originally filed disclosure, including the original claims, and that therefore no new matter has been added.

In the outstanding Office Action it was noted that the foreign references included with the Information Disclosure Statement (IDS) filed on December 23, 2002,¹ could not be considered because the copies of the references were not found in the file wrapper; the drawings were objected to; a new title was required; the disclosure was objected to; Claims 26, 27, 29, 30-38, and 41-48 were rejected under 35 U.S.C. § 112, second paragraph; Claims 24-31, 34, 39-45, 56, 57, and 90-92 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,474,366 to Reider; Claims 24, 25, 56, 57, and 90-92 were rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Publication No. 63-147771 (JP '771); Claims 24-28, 41, 46, 57, 90, and 92 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,444,388 to Stefannson et al. (Stefannson); and Claim 32 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Reider.

As stated above the foreign references included with the Information Disclosure Statement (IDS) filed on December 23, 2002, could not be considered because the copies of

¹ Although the Office Action refers to the IDS as having been filed on December 26, 2002, Applicants respectfully note that the initialed and executed copy of the IDS returned with the Office Action correctly notes that the IDS was filed on December 23, 2002, and was received in Group 3600 on December 26, 2002.

the references were not found in the file wrapper. In response, Applicants respectfully submit herewith copies of the references filed with the IDS.

As stated above the drawings were objected to because Figures 77-80 should be designated by a label such as "Prior Art." In response, as shown in the attached replacement sheets, Applicants have so labeled these figures. Thus, Applicants respectfully request that the objection to the drawings be withdrawn.

As stated above a new title was required that is indicative of an invention to claims are directed. In response, Applicants have amended the title to state "Sheet-like medium alignment apparatus including device and means locatable at different positions," consistent with the Examiner's helpful suggestion.

As stated above the disclosure was objected to because of informalities. In response, Applicants have amended the specification to remove references to claim numbers. Thus, Applicants respectfully request that the objection to the specification be withdrawn.

As stated above Claims 26, 27, 29, 30-38, and 41-48 were rejected under 35 U.S.C. § 112, second paragraph. In response, Applicants have extensively amended each of the claims, including Claims 26, 29, 30, 34, 41, 43, 45 and 46 to overcome the rejection, as well as to remedy potential informalities and place the claims in better conformity with standard U.S. practice.

As the outstanding grounds of rejection of dependent Claims 33, 35-38, 47, and 48 have been overcome for the above reasons, Applicants respectfully assert that the claims recite allowable subject matter. Applicants have rewritten Claims 33, 35, 37, 47, and 48 in independent form, and Claims 36 and 38 depend from newly independent Claims 35 and 37, respectively. Thus, Applicants respectfully request the allowance of Claims 33, 35-38, 47, and 48.

As stated above Claims 24-31, 34, 39-45, 56, 57, and 90-92 were rejected under 35 U.S.C. § 102(b) as being anticipated by Reider. Claims 24, 25, 56, 57, and 90-92 were rejected under 35 U.S.C. § 102(b) as being anticipated by JP '771. Claims 24-28, 41, 46, 57, 90, and 92 were rejected under 35 U.S.C. § 102(b) as being anticipated by Stefannson. Claim 32 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Reider. Applicants respectfully request that the rejections of the claims be withdrawn for the following reasons.

The present invention is directed to sheet-like medium alignment apparatuses, image forming apparatuses including the sheet-like alignment apparatuses, and sheet-like medium treatment apparatuses including the sheet-like alignment apparatuses. Independent Claims 24, 56, and 57 recite, *inter alia*, that means are used for aligning and loading a sheet-like medium ejected on a loading means from an ejecting means by pressing an end of the sheet-like medium on an upstream side in a direction of ejection of the sheet-like medium against an end fence provided at an alignment position. Means are used for moving the sheet-like medium toward the end fence and for aligning the sheet-like medium by applying a force to the sheet-like medium on the loading means. The means for moving is locatable at different positions in the direction of ejection. The means for moving includes a rotatable and drivable roller. Independent Claims 90-92 recite, in part, a device configured to align and load a sheet-like medium ejected on a loading device from an ejecting device by pressing an end of the sheet-like medium on an upstream side in a direction of ejection of the sheet-like medium against an end fence provided at an alignment position. A returning device is configured to move the sheet-like medium toward the end fence and to align the sheet-like medium by applying a force to the sheet-like medium on the loading device. The returning device is locatable at different positions in the direction of ejection. The returning device includes a rotatable and drivable roller.

Reider is directed to an article stacking machine. As shown in Figure 1, for example, of Reider, one or more pusher feet (e.g., lower foot 56, intermediate foot 58, and upper foot 60) are rotatably affixed to a working end of each pusher plate 52. Separate pivot pins 62 pivot each of the pusher feet to the pusher plate. Each foot is free to pivot about pins 62 between an operative position and an inoperative position.²

Applicants respectfully assert that Reider does not teach, however, the claimed features of means for moving or a returning device locatable at different positions in a direction of ejection including a rotatable and drivable roller, as recited in independent Claims 24, 56, 57, and 90-92. Specifically, Applicants respectfully assert that the pusher feet are not rotatable and drivable rollers locatable at different positions in a direction of ejection for example.

Independent Claims 24, 56, and 57 recite a “means for moving is locatable at different positions in the direction of ejection, and the means for moving comprises a rotatable and drivable roller.” Independent Claims 90-92 recite a “returning device is locatable at different position in the direction of ejection, and the returning device comprises a rotatable and drivable roller.” Thus, Applicants respectfully request that the rejection under 35 U.S.C. § 102(b) in view of Reider be withdrawn.

JP ‘771 is directed to a sheet stacking device. As shown in Figure 1, for example, of JP ‘771, a sheet is transported by an endless belt 8 set over an exhaust roller 5 and a tension roll 9 to run counter clockwise, and drops onto a tray 7.³

Applicants respectfully assert that JP ‘771 does not teach, however, the claimed features of means for moving or a returning device locatable at different positions in a direction of ejection including a rotatable and drivable roller, for example.

² Column 4, lines 27-47.

³ English language abstract.

Thus, Applicants respectfully request that the rejection under 35 U.S.C. § 102(b) in view of JP '771 be withdrawn.

Applicants respectfully assert that the outstanding grounds of rejection of independent Claims 56 and 91 have been overcome for the above reasons. Thus, Applicants respectfully request the allowance of independent Claims 56 and 91.

Stefannson is directed to stacking methods and apparatuses. As shown in Figure 4, for example, of Stefannson, a second sheet drive roller 49 is introduced into a sheet path 51 for driving a particular sheet in a second direction 63 into a staking location at an inside 76 of a retaining wall 74 opposite an outside 75.⁴

Applicants respectfully assert that Stefannson does not teach, however, the claimed features of means for moving or a returning device locatable at different positions in a direction of ejection including a rotatable and drivable roller, as recited in independent Claims 24, 56, 57, and 90-92. Specifically, Applicants respectfully assert that the second sheet drive roller 49 is not a rotatable and drivable roller locatable at different positions in a direction of ejection, for example.

Thus, Applicants respectfully request that the rejection under 35 U.S.C. § 102(b) in view of Stefannson be withdrawn.

Applicants respectfully assert that the outstanding grounds of rejection of independent Claims 24, 57, 90, and 92 have been overcome for the above reasons. Thus, Applicants respectfully request the allowance of independent Claims 24, 57, 90, and 92.

Applicants respectfully assert that dependent Claims 25-32, 34, and 39-46 are allowable for the same reasons as the independent claims from which they depend as well as for their own features. Thus, Applicants respectfully request that the rejections of dependent

⁴ Column 8, lines 1-6.

Application No. 09/997,304
Reply to Office Action of February 13, 2004

Claims 25-32, 34, and 39-46 under 35 U.S.C. §§ 102(b) and 103(a) be withdrawn and the dependent claims allowed.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 24-48, 56, 57, and 90-92 is earnestly solicited.

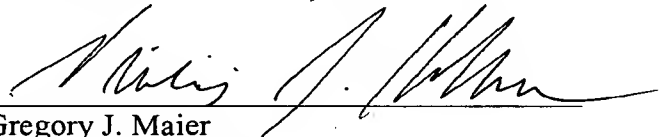
Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

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Respectfully submitted,

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